

The Hon'ble Sri Justice C.V.Nagarjuna Reddy

Writ Petition No.764 of 2016

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Date: 07.01.2016

Between:

Smt.Chalasani Lakshmi

.. Petitioner

and

The State of Andhra Pradesh
rep. by its Prl.Secretary (Revenue)
Hyderabad and 2 others

.. Respondents

Counsel for the petitioner : Mr.P.Sri Raghu Ram for Mr.P.Sri Ram

Counsel for respondent Nos.1 & 2: AGP for Revenue

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The Court made the following:

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Order:

The petitioner, who claims her interest over

12 acres of land in Survey No.64 of Pedda Gantyada Village and Mandal, Visakhapatnam, is presently concerned with an extent of 1200 square yards forming part of the said property. Her grievance is directed against respondent No.3- Greater Visakhapatnam Municipal Corporation (GVMC) as well as the Revenue functionaries of Visakhapatnam District.

During the hearing, it has come to light that neither of respondent Nos.2 and 3 have been interfering with the petitioner's possession of the aforesaid extent of 1200 square yards of land.

Mr.S.Lakshminarayana Reddy, learned Standing Counsel for Respondent No.3- GVMC, submitted that while his client is not claiming any part of the land admeasuring 1200 square yards, when the petitioner sought to raise a compound wall without obtaining permission, the officials of respondent No.3 have objected thereto. He has further submitted that the petitioner can raise compound wall after obtaining permission from respondent No.3.

As far as the Revenue functionaries are

concerned, the learned Assistant Government Pleader for Revenue appearing for respondent Nos.1 and 2 has invited this Court's attention to representation, dated 26-11-2015, made by the petitioner to respondent No.2 wherein she has alleged interference by some third parties. He has also submitted that the Revenue Department has no claim over the land admeasuring 1200 square yards claimed by the petitioner.

In the light of the clarification given by the learned Standing Counsel for GVMC as well as the Assistant Government Pleader for revenue representing respondent No.3 and respondent Nos.1 and 2 respectively, no further adjudication of the Writ Petition is necessary. However, the petitioner is permitted to make an application before respondent No.3 for permission to raise a compound wall and if such an application is made, respondent No.3 shall consider and take appropriate decision thereon in accordance with law. As regards the interference by third parties, it is made clear that if the petitioner has any grievance either against the Government or third parties, she is entitled to avail appropriate common

law remedy for protection of her properties.

Subject to the above observation and directions, the Writ Petition is disposed of.

As a sequel to disposal of the Writ Petition, WPMP.No.941 of 2016, filed by the petitioner for interim relief, is disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

Dt: 7th January, 2016
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